



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Project Number: 2400547

Applicant Name : Scott Clark and Brenda Barnes, Clark Design Group
for Triad Development

Address of Proposal: 3104 Western Ave

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a six (6)-story building with five (5) floors of apartments (117 units) above 4,976 sq.ft. of ground floor retail and eight (8) apartments at grade. Parking for 293 vehicles to be provided on four (4) below-grade levels, including 51 spaces used as principal parking. Project includes demolition of a two-story, 12,862 sq.ft. building (the Grange building).

The following approvals are required:

Design Review pursuant to Seattle Municipal Code (SMC) Chapter [23.41](#);

Administrative Conditional Use (ACU) for Principal Use Parking, SMC [23.49.122 B](#);

SEPA - Environmental Determination – SMC Chapter [25.05](#).

SEPA DETERMINATION: ☐ Exempt ☒ DNS¹ ☐ MDNS ☐ EIS

☒ DNS with conditions

¹ Early DNS published April 15, 2004

[] DNS involving non-exempt grading, or demolition or involving another agency with jurisdiction.

BACKGROUND DATA

Project Description

The applicant proposes a six-story mixed-use structure with approximately 125 residential units (117 upper level apartments and eight (8) at-grade walkup apartments) and about 5000 sq.ft. of commercial space at ground level. Parking is to be located within the structure, to be accessed from the alley. Of the 293 parking spaces provided, 51 are proposed to be used as principal use pay-parking.

Vicinity and Site

The site is located at the southwest corner of Western Avenue and Denny Way, at the edge of the Belltown neighborhood, adjacent to the Lower Queen Anne neighborhood.

The site is bounded by Denny Way to the north, Western Ave. to the southwest, Bay Street to the southeast, and an alley to the northeast. A short southern extension of Queen Anne Avenue North chamfers the corner at Western and Denny. Both Denny and Western are principal arterials. Bay Street is a nonarterial, classified as a Green Street. The site and vicinity slope to the southwest (see Figure 1).

The site is zoned Downtown Mixed Commercial with a 65-foot base height limit (DMC-65, see Figure 2). Properties along the south side of Denny Way are also zoned DMC-65. Across the intersection of Western and Bay to the south, land is zoned Downtown Mixed Residential/Residential with alternative height limits of 125 feet for residential uses and 65 feet for nonresidential. Across Denny Way to the north is zoned Neighborhood Commercial 3 with a 65-foot base height limit (NC3-65). Land to the northwest along either side of Western Ave. is zoned Commercial 2 with a 40-foot base height limit (C2-40). The property is located in the Denny Regrade Urban Center Village.

Development in the vicinity ranges from office buildings, such as the Airborne Express building across Western, to the Arkona apartments, built in 1908, to newer residential apartments, mixed use buildings, and a store along Bay Street. The owner/developer of this site also owns the Northwest Work Lofts,

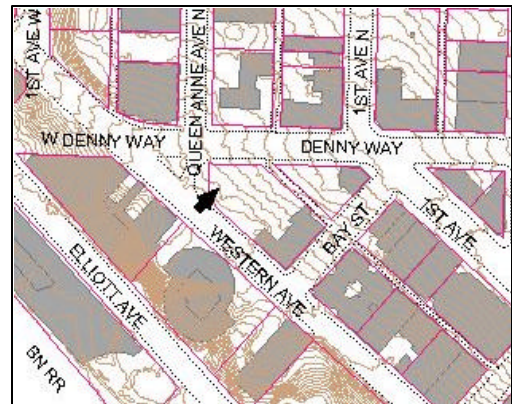


Figure 1. **Local topography**

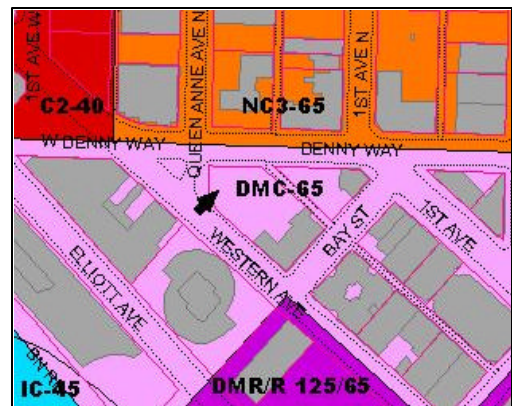


Figure 2. **Vicinity zoning**



Figure 3. **Aerial View**

located to the west along Denny with a courtyard facing Western. To the north across Denny is a Shell gas station. Further to the south, across the Western & Bay intersection, the Seattle Art Museum proposes its [Olympic Sculpture Park](#), scheduled to open in 2006.

The site is irregularly shaped, approximately 220' by 120', or 26,200 square feet, with its longer dimension along Western. Due to the substandard alley width, originally platted as 16', the applicant must dedicate two feet of the northeastern portion of the property to the alley per Seattle Municipal Code (SMC) [23.53.030 B2 & F1](#), which results in a site area of about 25,850 square feet. The site slopes to the southwest, about 12 feet in all (See Figure 1). No portion of the site is designated as an Environmentally Critical Area on City maps.

The site is currently occupied by a 1930s three-story concrete structure also used as work lofts, once home to the Washington State Grange, a populist farmers' organization with roots in the State's political history. The structure is proposed to be demolished. The majority of the site is paved, currently used as a pay-parking lot. The applicant intends to remove a billboard located on the eastern edge of the site. There is no substantial vegetation on site, but three large deciduous street trees currently provide a significant buffer along the Queen Anne Ave. extension, between the sidewalk and the adjacent vehicle traffic. Standard sidewalks are wider than existing. According to SMC [23.49.022](#), an 18' sidewalk is required along Denny Way where 10' currently exists, and 12' is required along Western, where 10' currently exists.

A portion of the site – occupied by the surface parking lot – was recently subject of a separate land use review (MUP #2008955) for a five-story office building with five levels of underground parking, including principal use parking. Permits for that project have since expired.

The site is intensively served by public transit. Routes service downtown, Queen Anne Hill, Ballard, the University District, Capitol Hill and beyond.

DESIGN REVIEW PROCESS

The project's first Early Design Guidance (EDG) meeting took place on April 13, 2004, in the Boards and Commissions room of City Hall. Four Board members attended, although one Board member recused himself from deliberations. The second Early Design Meeting took place on June 8, 2004, in the same location, with the same four Board members in attendance (one recusal). The final Design Recommendations meeting took place on September 14, 2004, in the same location, with all five board members in attendance (one recusal)

1st EDG 4/13/04: Applicant's Presentation

Scott Clark of Clark Design Group described the site and vicinity, referring to much of the information presented above. Nearby traffic volumes make portions of the site seem "inhospitable", but the applicant pointed out that the site provides opportunities to support existing pedestrian connections along Denny Way to nearby commercial buildings and to residential buildings on the quieter

southwestern side at Western and Bay. Assuming adjacent buildings remain relatively low, a future building on this site would afford panoramic views of the waterfront and Olympics. Toward the north are views to Seattle Center and Queen Anne Hill. Of particular note is the site's visual connection with the proposed Olympic Sculpture Park to the south, which may over time evolve into a pedestrian connection. Existing street trees are a design asset, which should be connected along Western to the future park.

The site is very visible, given its prominent corner location. The architect identified the current perception of the site as an urban void, and pointed out that future development here will cause the corners to take on new significance in the neighborhood. The design's lighting should seek to illuminate the building's features.

The preliminary design concept locates the principal residential entry on Western, at the Bay St corner. The current design involves commercial and live work space located at ground level along Denny and Western, with a secondary pedestrian entry to the parking garage at the Denny & Western corner, along the Queen Anne Ave. extension. The design steps back at the ground level to accommodate wider sidewalks on Denny and Western, and upper levels then project above. The architect stated that the resulting overhangs could complement the pedestrian space and enhance the sense of enclosure. The design shows parking accessed from the Alley.

The applicant presented a scale model of the site and vicinity, and provided four massing studies. The first study shows a basic zoning analysis, demonstrating the general massing allowed for the site by Land Use Code development standards. The second study (Alternative A) shows a similar volume, but with a substantial modulation at the alley, resulting in a square interior courtyard set somewhat above the alley level. The third study (Alternative B) shows a modulation of similar size, located instead toward Western at the second level, and opening up toward the west. A fourth study (Alternative C) is a variant of A and B, showing a wide and relatively shallow modulation on Western and a deeper inset on the alley.

The architect acknowledged the seemingly counter-intuitive strategy of locating open space at the alley, considering solar access and views, but he argued in favor of this strategy. Design benefits of this alternative include buffering from noise and activity in the alley, an inherently different space than Post Alley, for example. By locating the principal building mass on Western, the building becomes more of an icon or a reflection of the unique street geometry. Alternative B effectively breaks a large mass into smaller masses, providing a different scale, but the design appears to become "site-centric". Alternative C carves the principal mass somewhat at the south, in deference to strong element of the Airborne Building, while stepping the alley façade back to provide views up the hill.

The applicant currently requests no design departures for the proposed project.

1st EDG 4/13/04: Clarifying questions by the Board

What are the proposed uses? Live work, commercial retail or office, apartments, and parking.

Clarification of relation to grade. Uphill access to parking results in a portion of the parking entrance that's open to the floor above.

Is that a secondary residential entry? There is a second minor lobby associated with the parking, logically located at the northwest corner to provide more direct access to adjacent site, to which some parking will be accessory.

Any likelihood of a future pedestrian connection from this site to the water? Given intervening private property and railroad right of way, no foreseeable physical connection to the water.

Does the order in which you presented the models represent your evolving thought process? Yes, somewhat. But looking forward to hearing Board's goals before continuing further.

1st EDG 4/13/04: Public Comment

Seven members of the public signed in at the Early Design Guidance meeting on April 13, 2004. Some comments from the meeting focused on design considerations under the Board's purview. Other comments and questions related to proposed tenancy, number of residential units, construction timeframe, congestion and noise in the alley, and impacts to views from nearby uphill sites. Comments related to design review included the following:

- Will there be a rooftop deck? Applicant responded that it's not likely.

DPD also received one letter from the public, asking to be a party of record.

2nd EDG 6/8/04: Applicant's Presentation

Scott Clark presented the updated design. He recapitulated the site and vicinity analysis summarized above, reminding Board members of the principal contextual issues:

- ample views afforded the site,
- a mixture of surrounding uses and building types that create a varied and indistinct neighborhood character,
- future development of the Olympic Sculpture Park, less than a block away,
- southern solar orientation,
- a gradual slope across the site toward the west,
- relatively active alleyway,
- more trafficked arterials along Denny and Western, transitioning to quieter area along Bay.

The architect also reviewed the massing models presented at the previous meeting and summarized their principal characteristics.

- Alternative A – which hugs the Western Avenue elevation, and exhibits a pronounced cutout at the alley.

- Alternative B – the counterpoint to “A”, in that it opens to its southern elevation and views, with a hard wall on the alley. That alternative involves locating the majority of the units along the alley.
- Alternative C – which respects the differences in the geometries of the adjacent street systems – the western orthogonal system and the Denny diagonal system. He noted that the Board had thought the size of the north-facing cutout in this model was too large, and that one Board member had raised the idea of cutting back the massing at the south corner.

Working with the Board’s guidance, the applicant developed a series of four revised concepts. Concept 1 held a very strong Denny Way edge, created a blunt façade at the corner with Queen Anne Avenue and Western, and carving out the Western Avenue façade to respond to the pressure of the dominant, formal Airborne building. This concept also considered cutting back the southern corner and diminishing the cutback at the alley. The architect was not enthused by this concept, because it “loses the formal character or strength of the building”.

A second concept massing appeared to be more akin to the original massing model B. The applicant said that this alternative exhibited significant unit layout problems because of the building’s depth. The design team therefore rejected this alternative.

A third concept massing presented what the architect described as a “more straightforward approach”. The base of this model steps back from Western in response to the Board’s guidance, while the upper stories overhang the base on Denny. The architect identified Concept 3 as a positive improvement over the previous alternatives, but he considered it to fall short of a definitive treatment using the strengths inherent in the project site.

Concept 4 represented the design team’s preferred design, and it most resembled the original massing model C presented at the first meeting: two principal building masses, one oriented along Denny, and the other along Western and Bay, with a bridging mass between the two. The architect values the way this scheme anchors the orthogonal system and provides for practical and efficient layout of individual units. Opportunities represented by this concept include “an interesting dialogue between the two masses”, and “the way this building’s mass starts to create a relationship with the Airborne” building at the foot of Queen Anne Ave N. The architect described the resulting scheme as an “H-part”, with a center bar linking two building brackets.

The architect referred to previous Board comments about ground-related live-work units, acknowledging that spaces along Western would likely emphasize the “live” component, while those along Denny could be balanced more toward “work”. His design response was to align the base with the upper levels, and notch the ground floor back away from the sidewalk on Denny, providing defensible space that represents an appropriate transition to the sidewalk. In section, the 12'-wide sidewalk transitions to a raised terrace adjacent to the live-work entries. This updated design includes an elevator lobby for parking accessory to the nearby Northwest Worklofts, accessible from the corner of Queen Anne Ave and Western. The updated design also locates the principal residential entry on the southern corner, facing Bay St. The residential lobby will also be about 4' above sidewalk grade along Western.

The architect presented an open space and landscape plan, stating that all interior common space would be provided, as well as all required open space located on a roof deck. Sidewalk amenities, the raised entry-sidewalk along Denny, and the second-floor terrace are not counted toward the total requirement.

The architect contrasted the proposed design concept with a previously approved design for this site. The permitted design located an elevator tower at the acute corner of Denny and Western, representing a beacon or gateway. This design concept seeks instead to be a more modern expression, representing a “secondary building”. The proposed elevator tower instead acts as a seam between the harder commercial edge along Denny and the quieter, more residential expressions along Western. On the top floor, the proposed design carves away the corner and provides strong eaves to emphasize the skyline, instead of providing a sculpted concept evidenced by the original proposal. This design creates a strong horizontal line with everything occurring below it.

The architect noted the Board’s early guidance related to the proposed overhang on Denny, in which Board members encouraged the applicant to design it to be high and well lit. He identified a high commercial ground floor with 14-17' ceilings. He described a “marvelous canopy that will work with the awnings and street trees”.

Proposed finish materials involve a fibrous cement panel that facilitates a very flat building face. Coupled with appropriate fenestration and balcony patterns, the result will be a variety of scales. The design’s upper floor would be the same material, with a change of color and no setback apart from corners where balconies are located. Materials at the ground level would be exposed architectural concrete. Canopies would be metal, and panels would be either glass or [panelite](#), an innovative translucent material that plays with light and would create visual interest. Overhead weather protection would run all along the street facades, except for along Western, where each entry would be covered, allowing for some individual expression of the doorways.

2nd EDG 6/8/04: Clarifying questions by the Board

Please describe the canopies – Steel frame, connected into the concrete base. Overhead would be some kind of opaque glass, or we may elect to use the panelite. It’s lighter than glass, it has good structural integrity, and it has coloring details as light filters through it.

You’ve chosen not to create an iconic expression at the corner of Denny and Western. Previously it had been more akin to the prow of a ship. Explain why you feel this corner should have a more modest expression. We gave this a lot of thought. The first proposed structure had an illuminated elevator shaft, but we thought that might be a missed opportunity – there are stronger issues, more modest, quieter, more intuitive. Allow the masses themselves to define the significance of the corners.

Please describe the rooftop features, penthouses, etc. We’ve located the mechanical elements so they won’t be seen from the street. We’ve provided a roof deck and brought it to the edge so it will reinforce the rigor of the mass.

Explain the layout and organization of the street level live-work units on Denny: are they two-story units or are they truly commercial spaces? They would be piped for bathrooms and kitchens, but the market will decide.

On the northwest corner, what's the distance between the curb street edge and the building? Somewhere between 20-25'.

Are you proposing to use a standard sidewalk grid pattern in the concrete, will that be repeated in the upper walkway area? That's a graphic representation rather than any commitment to a specific pattern.

How deep is the semi-private patio space in front of bay windows of the live-work units on Western? Beyond the sidewalk and the required 2' setback, the deepest planting area is 5', shallowest is a seating ledge. Then there would be an 8' private patio space.

You've emphasized that finished materials are to be flat. Do you propose any punched openings, reveals? Envision a 1" airspace from sheathing to exterior material. Window sills will be a subtle lip about 1/2" projecting from the material. The jambs and head will have no projection. It will read as a very, very flat, crisp façade.

Are colors shown representative of the final color scheme? No. The disclaimer is that these renderings are an indication of the proposed materials and colors. They aren't exact. Brought actual samples. Ground level will be architectural concrete, cast in place.

What sort of window systems are you proposing? An extruded vinyl system in a color other than white. Need to work through the details. Ground level will be a combination of metal and glass.

What is the highest point of the retaining walls on Western? At its highest, it's about 2.5-3' on the south side, plus the planting bed. Trying to avoid any guardrails or handrails. The goal is to have a relatively low, solid concrete element.

What is the proposed floor to floor height for the ground floor? In excess of 15'. 16'-17' finished floor to finished floor. There might be opportunities for mezzanines within these commercial spaces. It might be a dramatic restaurant space.

2nd EDG 6/8/04: Public Comment

Three members of the public attended the second Early Design Guidance meeting, and they presented the following comments relative to design review.

- One of the most important developments in the neighborhood is the Olympic Sculpture Park. Consider ways to improve the pedestrian paths from Seattle Center to that site. You're making the neighborhood context, so please consider these paths.
- Please show how this design relates to the other new buildings in the neighborhood. Not clear how it meshes with the Plymouth Place building.
- Delighted that parking access is through the alley.
- This alley is interesting, in that you'll have two new buildings along either side. Make it interesting and friendly for people to walk through. It would be a welcome, unusual thing in Belltown.
- I think this will be an asset to the neighborhood.
- Facing Bay Street, the windows will look right across to the next building's windows. Possible to cant them toward the sculpture park to avoid that direct gaze? (presented a sketch).

The public also raised questions related to parking, which is considered in DPD's environmental review, and whether the residential units will be apartments or condominiums. DPD also received three letters from the public, which addressed signage for pedestrian safety, parking availability, and a general objection to a new building on this site.

The applicant applied for the Master Use Permit on August 10, 2004. DPD deemed the application to be complete on August 17, 2004.

Design Recommendations 9/14/04: Applicant's Presentation

Scott Clark presented the project at the final Design Recommendations meeting. He gave an overview of the site and vicinity using the cardboard model from earlier meetings. He also showed a larger scaled model of a portion of the design, which clarified the interface between commercial uses and the entry to the parking at the corner of Western Ave and the Queen Anne Ave extension.

Design changes resulting from earlier discussion include a change of use from live-work on Western to strictly residential space, as well as a change in proposed exterior materials. He showed samples of an exterior cladding product manufactured by [Prodema](#), panels consisting of wood laminate on a bakelite backing. The resulting concept is of an elevated wood box above a glass and concrete plinth. Referring to updated colored elevations, Mr. Clark noted that the darker of the two colors would be the predominant material, while the lighter, blonder panels would be more of an accent.

The design's elevator shaft is proposed to be glazed and illuminated with colored lighting from the structural overhang above, cantilevered 7' over the private sidewalk. Inside the glazing, the design team proposes to adhere large-scale lettering, possibly a "quasi-historic narrative" to artistic effect. "This site is about energy, and [the artwork] is representative of that intent".

Where the proposed awnings originally incorporated a translucent, iridescent “panelite” material, the architect chose instead to use an obscured glazing, as the panelite is apparently an interior material only, and an alternative intended for exterior use is too expensive.

The architect drew attention to the proposed commercial space off Denny, identifying mullion extensions that make the commercial front seem more tactile.

Entrances to the proposed live-work units off Western Ave are now somewhat below grade, where they were originally to be accessed across a raised platform. Steps are appropriately lighted with fixtures recessed into the concrete walls, and the outdoor space would be amply landscaped.

In the updated design, the south corner has eliminated the columns shown earlier and has pulled the residential lobby closer to the sidewalk on Western. The intent is to “externalize” the lobby experience.

The architect also provided an overview of the proposed landscape design by showing landscaping photos from analogous projects meant to identify desired results for this project. On Western, landscaping along the live-work entries would be flush with the sidewalk, providing a green screen further separated by a horizontal metal rail, which would provide a “continuous element to connect the two ends of the building”. At the corners of Western/Queen Anne Extension/Denny, landscaping in the right of way involves a low concrete wall with adjacent plantings, meant to berm and buffer against the adjacent traffic. He also showed areas where appropriate signage is proposed to be located.

The project’s landscape architect further described the proposed landscaping. In order to shield pedestrians against adjacent vehicle traffic, landscaping in the right of way preserves the existing trees and supplements the buffer with grasses and low shrubs. At night, the existing trees could be uplighted to activate the space. Low plantings on the outside of the sidewalk could berm against a low concrete seating wall, which would frame a small plaza paved with a finer grid of sidewalk pavers, proposed to be 1'x1'. Balconies and terraces above would be landscaped primarily at their peripheries, with galvanized pots containing bamboo and perennials. The northeast-facing terrace above the alley would involve earth mounded up against the back side of the alley wall to promote vegetation facing the terrace.

Design Recommendations 9/14/04: Clarifying questions by the Board

The model suggests a lot of depth between glazing and the surface exterior materials, but before it was proposed to be all in one plane. How deep is the recess? A 2-3" recess is proposed.

The material proposed for the deck grating, metal mesh – will you treat it, or is it designed to weather and rust? Proposed to be powder coated black.

Recessed wall on Western, above the first level, is that proposed to be shiplap? Yes.

Please describe the window systems at grade and above. Ground floor windows are all proposed to be anodized aluminum storefronts. Above, we discussed using an almond-colored vinyl window, but elected instead to go with the white. Otherwise it might look grimy.

What material do you propose for the base? Architectural concrete. We've added some detail that you can see in the larger elevations. If you look at the blowups of the live-work entries, you see a score mark.

What is the proposed joinery for the panels? These are flush, 4'x4' panels. The layering involves building paper, then treated battens. Neoprene over that, sheathing. Horizontally it's flashed with a reglet. The Prodema meets the hardiboard in a blind connection, so it reads as though the hardie dies behind the Prodema. It's pretty flush, with a little bit of batten.

What is the proposed drainage system from the above-ground decks? 1'x1' concrete pedestal pavers above a concrete deck. Irrigation is proposed for the plantings. All plantings would be in pots or concrete planters. Most plantings would be fully mature within one growing season. We can move them around to create a little barbeque area. Vine maple is probably the largest possible, about 8' when fully grown.

Design Recommendations 9/14/04: Public Comment

Three members of the public attended the final design Recommendations meeting, and they presented the following comments relative to Design Review. Other comments related to view blockage from nearby sites: not an issue addressed through Design Review.

- Earlier designs didn't involve a roof deck, but this one has a roof deck. It could block my view. Is it appropriate to insert this at the last meeting?
- How tall are the mechanical systems, approximately? 8'-9'.

GUIDELINES AND RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment, the Design Review Board members provided the siting and design guidance and recommendations described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's [*Design Review Guidelines for Downtown Development*](#).

A. Site Planning and Massing -- Responding to the Larger Context

A-1 Respond to the physical environment.

Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.

A-2 Enhance the skyline.

Design the upper portion of the building to promote visual interest and variety in the downtown skyline.

1st Guidance – Site Planning

Board members discussed at some length the advantages and disadvantages inherent in locating a residential terrace to the north, where it could buffer against alley noise, vs. to the south, where it would be a vantage point for solar access and views. One Board member noted the potential design benefits of activating the alley and pushing the design's solids toward the principal corners. Another Board member noted the benefit of being a good neighbor to residents across the alley.

A Board member suggested an alternative that would locate the terrace toward the proposed sculpture park. They pointed out that the neighboring building across the alley to the northeast located its terrace to capture afternoon sun, and that a solid at the south corner might shade this space. Another alternative would be to develop a spatial relationship between this design and the open space of the work lofts building to the northwest. Board members discussed the possibility of reversing the degree of the stepbacks shown in option C – deeper on the street, and shallower on the alley. Board members commented that several nearby buildings are residential, and they noted that smaller masses seem to work well in this neighborhood. The Board recommended that the massing should relate more in scale to nearby housing versus the office across the street.

The Board commended the architect for providing the models, and for articulating the tradeoffs and his current thinking regarding placement of the terrace. They pointedly refrained from advocating any positions, stating instead that the proposed massing and terrace is “a design formula that doesn't quite equate yet”. They asked to see further studies, and welcomed further dialogue about the building massing and open space location.

The Board agreed it was too early to discuss guideline A-2 (enhance skyline), but agreed with the applicant's analysis that the design would and should be prominent. The Board will be interested in the proposed roof design. The Board also requested alternative design treatments of the principal corners on Denny & Western, Bay & Western.

Architect's Design Response – Site Planning

“(See Figure A). We have developed a massing concept that responds to the unique street grid, solar orientation and the different context of the two corner intersections. The setback is now deeper on the street, and shallower on the alley than in previous schemes. This massing achieves several goals; it

develops a spatial relationship on Western Avenue that relates to the open space of the adjacent Northwest Worklofts and Airborne Building, the solid's are pushed towards the corners which creates a massing that relates to the smaller scale of the surrounding residential buildings and it creates some open space on the alley which provides relief to both buildings. The open space on the alley is a smaller terrace area for the adjacent units. The buildings major outdoor common residential area has been moved to a roofdeck at the southwest corner to take advantage of views.



Figure A

“(See Figure B). To create visual interest we have created setbacks on the upper floor at all corners. The building will also have roof overhangs ranging from two to four feet. We have also created a roof deck for the residents at the corner of Western Ave and Bay Street.



Figure B

2nd Guidance – Site Planning

The Board expressed its comfort with the proposed massing, indicating that it was appropriate to step back the façade along Western while still maintaining some relief from the alley. Board members agreed it would not be necessary to cut back the design's massing at the south corner.

Board members also indicated it was appropriate to treat the corner of Denny and Queen Anne more subtly as proposed, rather than presenting an iconic expression such as a glass tower.

Design Recommendations – Site Planning.

The Board approved of the site planning as proposed.

B. Architectural Expression -- Relating to the Neighborhood Context

B-1 Respond to the neighborhood context.

Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

B-3 Reinforce the positive urban form & architectural attributes of the immediate area.

Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.

B-4 Design a well-proportioned & unified building.

Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

1st Guidance – Architectural Expression

The Board unanimously agreed that the site affords considerable flexibility in setting a positive context of its own. One Board member advised the applicant to consider designing with broad strokes, not lots of little moves.

Architect's Design Response – Architectural Expression

“The massing has been designed with broad strokes as the Board suggested. The project's solid's are pushed towards the corners which creates a massing that relates to the smaller massing of the surrounding residential buildings. In addition the massing and streetscape on Denny Way, Western Avenue and Bay Street are treated differently. On Denny Way the ground and second floors are setback eighteen feet from the street. The residential units on the third floor overhang nine feet. There will be large amounts of glazing and a commercial retail space at the corner. The height to the underside of the overhang at the alley is fifteen feet and at the commercial space at the corner it is twenty feet. The ground floor units on the street are designed to be “swing units” that will respond to the market. If market interest is primarily commercial they will be developed as retail spaces. This is the preferred scheme. If the market interest is live/ work, with the emphasis on work, the units will be developed that

way. The access to the parking garage lobby is located as a buffer between the corner retail space and the live/work units on Western Avenue.

“The live/work units on Western Avenue are setback from the street twenty-five feet. There is a five foot planting buffer between the sidewalk and outdoor space in front of the units. At the parking garage entry you can access the walkway in front of the units at grade. As Western Avenue slopes downward towards Bay Street the grade change between the units and sidewalk increases to four feet. The entries to the units create smaller projecting masses that break down the scale of the façade.

“The massing on Bay Street has a smaller more intimate residential scale. There is a smaller over hang at the second floor. The entry has been moved from the corner to Bay Street.

2nd Guidance – Architectural Expression

The Board’s most significant concerns centered around materials. While they acknowledged that extremely flat façades might be acceptable if carefully detailed, they expressed deep reservations about whether the proposed materials would successfully present the quality of the underlying design. One Board member made a strong case for a more textured, nuanced façade. Board members requested that future design updates clearly show the detailing proposed, including graphic information related to seams and bolt patterning. These details would best be presented in a ½" scale elevation drawing. They recommended that the applicant show consideration of alternative materials and glazing systems. They also requested that the applicant provide clear evidence that the proposed materials would be color-fast. They asked the applicant to provide a clear example of how the concrete base is to be treated.

The Board briefly discussed the proposed overhang above the walkway on Western and Bay. They generally agreed that the design team should consider ways to present a richer experience here that is more integrated with the ground plane. They noted that the overhang would be adjacent to the live-work entries, which offer substantial opportunity for enhancing the pedestrian experience.

Design Recommendations – Architectural Expression

The Board approved of the design as proposed, and stated specifically that materials described at the final recommendation meeting are to be the materials used to finish the building. However, they agreed that the current patterning appears to be overly busy, and that one of the two proposed colors should be dominant, while the other should serve as an accent. They recommended that the design team reorganize the panels to further unify the principal facades along Denny, Western and Bay St. See condition #1.

The Board noted that the proposed decks appear to be lighter, quieter, and more residential in character than the earlier iteration. They recommended approval of the decks as proposed.

C. The Streetscape

C-1 Promote pedestrian interaction.

Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

C-2 Design facades of many scales.

Design architectural features, fenestration patterns, and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.

C-3 Provide active – not blank – facades.

Buildings should not have large blank walls facing the street, especially near sidewalks.

C-4 Reinforce building entries.

To promote pedestrian comfort, safety, and orientation, reinforce the building's entry.

C-5 Encourage overhead weather protection.

Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

C-6 Develop the alley façade.

To increase pedestrian safety, comfort, and interest, develop portions of the alley facade in response to the unique conditions of the site or project.

1st Guidance – The Streetscape

The board identified proposed sidewalk overhangs as a “red flag”, in that overhangs often read as an office statement. “Offices can often get away with things that residences can’t.” If the design employs this feature, it should be high, well-lit. Board members recalled similar guidance for the earlier project permitted on this site. Staff will provide applicant with previous design review reports, if available.

The proposed live-work units prompted dialogue. One Board member noted that “live-work” should be designed differently from “live-work”. Units that are predominantly residential need to have some intermediary space to buffer them and create a livable interior space. The Board instructed the applicant to consider the problems of Fountain Court, 2400 4th Ave, and the strengths of the “Alcyon”, currently under construction near REI. “This could be a make-or-break issue”.

The Board requested further detail related to overhead weather protection, particularly along identified pedestrian ways and entries.

The pedestrian doorway to the parking should be more than a narrow vestibule.

Board members raised the issue of the proposed orientation of the design’s main residential entry. The location of the lobby is appropriate, but the door placement at the corner, facing Western, seems odd.

Should it face toward Bay? Should it be located somewhat further from the corner? The Board encouraged the architect to develop this idea further.

Architect's Design Response – The Streetscape

“(See Figure C). The ground floor units on Denny will be either retail or live/work units. There is a commercial retail space located at the corner of Western and Denny. The corner will be primarily paved with some landscaping elements located under the existing trees. This area is seen as an active pedestrian intersection with potential outdoor seating space for a retail tenant. The access to the parking garage lobby is located as a buffer between the corner retail space and the “live”/work units on Western Avenue. The elevator and its lobby are designed to be transparent, inviting and associated with the commercial activities.

“The “live”/work units on Western Avenue are setback from the street twenty-five feet. There is a five foot planting buffer between the sidewalk and the outdoor space in front of the units. At the parking garage entry you can access the walkway in front of the units at grade. The residential lobby entry has been moved from the corner to Bay Street. The lobby which is elevated from the sidewalk, is designed as a tall transparent space that activates the corner of Western and Bay Street and has a visual connection to the new Sculpture Park. The building's community room and exercise room have also been located on Bay Street to promote an “active façade”.



Figure C- Ground Floor Plan

“It is our intention to design the facades to be appropriately scaled for their use and context.

“There are no blank facades on any of the streets.

“The residential lobby is at one of the two unique corners of the project. It is a tall, transparent and visually integrated with the live/ work open space and landscape. The lobby contains a seating area with a fireplace and is set within a landscape area four feet above grade. The residential entry on Bay Street is reinforced by a setback, planting beds and entry canopy.

“The parking garage elevator lobby is located at the other unique corner at Western and Denny and will be transparent, well lit, and will have an entry canopy.

“(See Figures D & E). The canopies respond to the street and pedestrian context. They reinforce the different massing elements and uses along the different facades. We have done that by providing overhead weather protection along Denny Way and at the entry to the parking garage. The live/work entries on Western Avenue have individual entry canopies and the residential entry located on Bay Street has an entry canopy.

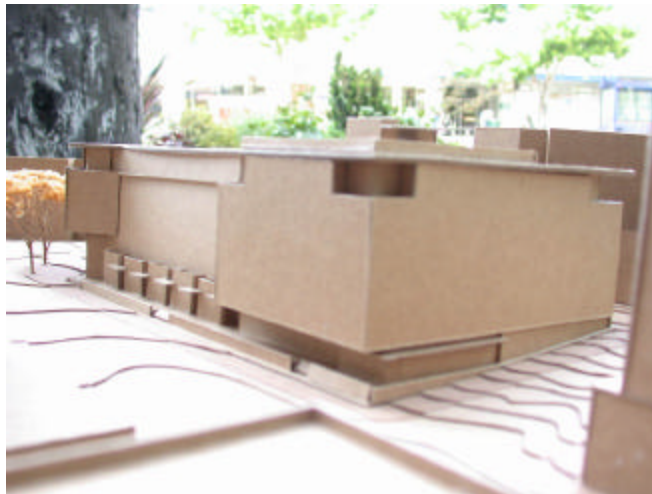


Figure D



Figure E

“After reviewing the previous submittal we decided to employ a different strategy. The previous scheme had a second floor at the Denny elevation that resulted in greatly reduced opportunities for the grand level retail. This submittal does not have a second floor at the Denny Way elevation. This allow for a higher, lighter and more transparent ground floor that we think is more sucessful and works well with the overhang at the third floor. (See Figure F).

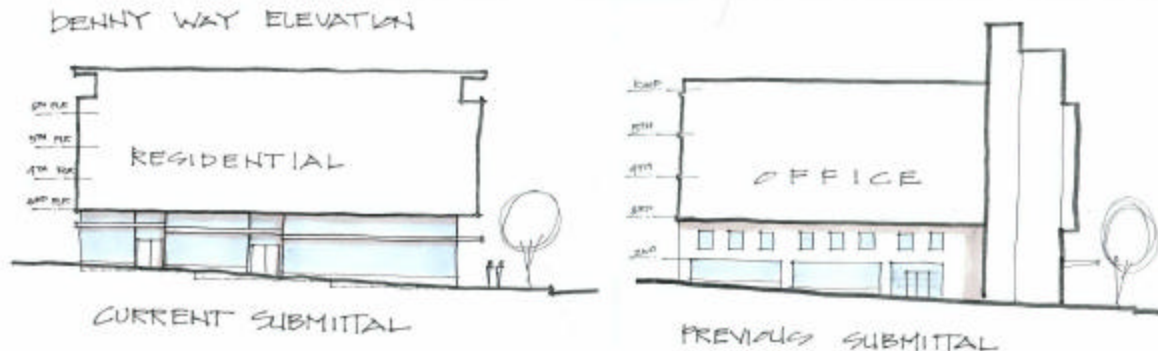


Figure F

2nd Guidance – The Streetscape

Board members agreed that the architect should further consider the proposed patio associated with the live-work units facing Western. They recommended a scheme that would create individualized spaces, rather than a common walkway crossing in front of all the entries. Think of residential stoops with defensible space. They encouraged the architect to reconsider whether railings might help to provide an appropriate buffer, but they recommended that the retaining wall be kept as low as possible – certainly no higher than 4'. The Board identified a potential design issue associated with live-work units located on Denny Way, representing a risk of permanently drawn blinds and a missed opportunity for an active sidewalk experience.

The Board encouraged the architect to identify ways to enliven the alley, taking any positive design cues from Plymouth Place across the alley.

Design Recommendations – The Streetscape

The Board approved of the streetscape-related updates, noting that the retail space is appropriately located and lighted, and the individual patios associated with the live-work units appear to be designed to work well.

The Board recommended that the applicant make a concerted effort to work with all tenants of the site and have them adjust their signage to bring it all within the same family.

D. Public Amenities – *Enhancing the Streetscape and Open Space*

D-1 Provide inviting & usable open space.

Design public open spaces to promote a visually pleasing, safe, and active environment for workers, residents, and visitors. Views and solar access from the principal area of the open space should be especially emphasized.

D-2 Enhance the building with landscaping.

Enhance the building and site with substantial landscaping—which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.

D-3 Provide elements that define the place.

Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable “sense of place” associated with the building.

D-4 Provide appropriate signage.

Design signage appropriate for the scale and character of the project and immediate neighborhood. All signs should be oriented to pedestrians and/or persons in vehicles on streets within the immediate neighborhood.

D-5 Provide adequate lighting.

To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building facade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, and on signage.

D-6 Design for personal safety & security.

Design the building and site to enhance the real and perceived feeling of personal safety and security in the immediate area.

1st Guidance – Public Amenities

Board and applicant agreed that the design solution for the corner of Denny & Western should be a strong expression, possibly a landmark feature.

The Board requested that the applicant provide ideas for an integrated signage approach and how it will relate to the architectural expression.

Architect’s Design Response – Public Amenities

“There are three distinct areas that create a sense of place. The first is at the commercial retail area located at the corner of Western and Denny. The corner will be primarily paved with landscaping elements located under the existing trees. This area has southern and western exposure and is seen as an active pedestrian intersection with potential outdoor seating space for a retail tenant. (See Figure C).

“The live/work entries on Western Avenue have a southern exposure and are separated from the sidewalk by a landscape buffer. Residents may place tables and chairs in this area in good weather. (See Figure G).

“The residential entry located on Bay Street has a southern exposure, planting beds and entry canopy. The lobby is designed as a tall transparent space that activates the corner of Western and Bay Street. The residential lobby is an elevated gathering place with chairs and a fireplace that has a visual connection to the Sculpture Park.

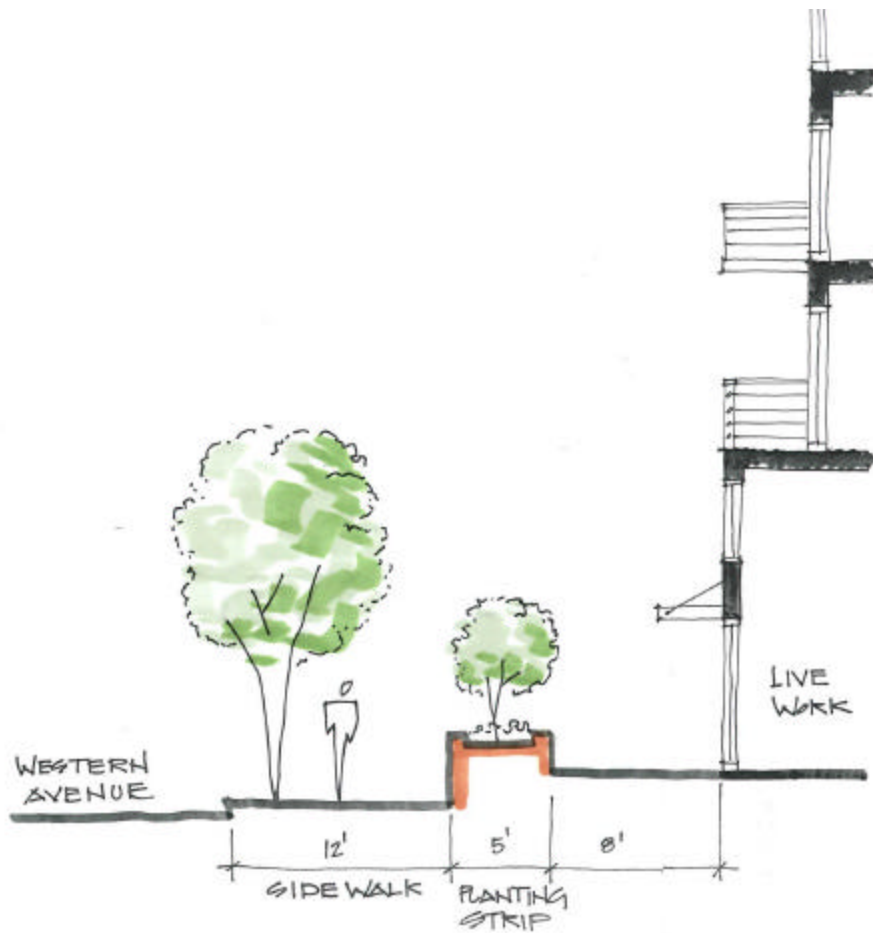


Figure G

“Signage will take an integrated approach and lighting will be used to provide a safe and well lit building.

2nd Guidance – Public Amenities

The Board recommended that the applicant focus on the organization of the sidewalk space at the corner, looking for opportunities to create an enlivened space, and they requested the architect to present alternative schemes with landscaping and hardscape.

The Board asked the applicant to provide details of proposed decorative light fixtures, canopies, doors, and other hardware.

Design Recommendations – Public Amenities

The Board recommended that the designers make a concerted effort to use lighting that will not spill light from the site, and to provide only as much light as necessary. The Board supported the intent to uplift the existing trees and downlight through the glazed canopy.

Board members viewed the proposed corner art element as an important amenity that should definitely be provided (see Condition #5). The Board expects that all elements presented at the final meeting – lighting, alternative paving, metal mesh interlaced with greenery – should be provided as part of the finished building.

E. Vehicular Access & Parking – *Minimizing the Adverse Impacts*

E-2 Integrate parking facilities.

Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

E-3 Minimize the presence of service areas.

Locate service areas for trash dumpsters, loading docks, mechanical equipment, and the like away from the street front where possible. Screen from view those elements which for programmatic reasons cannot be located away from the street front.

1st Guidance – Vehicular Access & Parking

The Board agreed with the applicant's proposal to locate parking access and service areas on the alley.

The Board recalled the discussion from the previous proposal at this site, which involved a question of shrubs and other low landscaping in the bulb at Denny & Western. The result was to recommend that the commercial space interact with the adjacent ground plane and any landscaping – and to do this in an intentional way. The Board recommended that the applicant review the previous guidance.

Architect's Design Response – Vehicle Access & Parking

“There is agreement that the parking access and service areas are located appropriately.

2nd Guidance – Vehicular Access & Parking

No further guidance.

Design Recommendations – Vehicular Access & Parking

No further recommendations.

ANALYSIS – DESIGN REVIEW

The Board identified several valuable elements of the design presented by the architects and landscape architect at the final meeting. Board discussion reflects those items which the Board felt were critical amenities that should be preserved and carried through to construction. Some of these design-related amenities are proposed within the right-of-way, and DPD encourages the applicant to involve Land Use staff in discussing the proposed street improvements with SDoT reviewers.

The project involves no departures from Land Use Code development standards.

DECISION - DESIGN REVIEW

DPD finds that the project's design has successfully evolved to address several issues raised by the Board in Early Design Guidance. The proposed design is **CONDITIONALLY APPROVED** subject to conditions listed on page 29 at the end of this report.

The project involves no departures from Land Use Code development standards.

ANALYSIS – ACU TO ALLOW A PRINCIPAL USE PARKING GARAGE IN A DMC-65 ZONE

Principal use parking in the DMC-65 zone requires an Administrative Conditional Use (ACU) permit per SMC [23.49.122 B](#). The site is located in a [mapped area](#) where long-term principal use parking requires such a review. As originally proposed, all parking was to be accessory to residential and commercial spaces within the proposed building and to commercial space located across Western Ave. The proponents updated the application to propose principal use parking in January 2005, and DPD renoticed the project to add the ACU component on March 10, 2005. The criteria are listed below, with staff analysis included:

General Requirements:

- 1. The use shall be determined not to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

2. *In authorizing a conditional use, adverse negative impacts may be mitigated by imposing requirements of conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest. The Director or Council shall deny the conditional use, if it is determined that the negative impacts cannot be mitigated satisfactorily.*

The site is located in a transitional area, at the heavily trafficked interface between two neighborhoods: Belltown to the south and Uptown Queen Anne to the north. It is surrounded by office, residential, and various small-scale commercial uses, and it is within blocks of Seattle Center. The area is also scattered with surface parking lots, including the 83 parking spaces currently located on the subject parcel. The proposal calls for 51 principal use parking spaces, in addition to those accessory to the proposed uses for the new building (132), and those proposed as accessory to the Northwest Work Lofts (60), located to the west of the site, across Western Ave.

The applicant submitted a traffic study dated August 10, 2004, prepared by William Popp Associates. The traffic analysis anticipates the overall traffic generated by the project, considered in the context of development currently occupying the site. The study is supplemented with a memo from William Popp, Jr., dated December 22, 2004, addressing more specifically the ACU criteria discussed below.

DPD also reviewed the traffic analysis prepared for MUP #2008955 by Heffron Transportation, Inc., dated May 21, 2001. The Heffron study considered an earlier project proposal on this site with a different distribution of uses, which would have resulted in more trips than the current proposal is likely to generate. It therefore provides a more conservative basis from which to determine potential impacts generated by the current proposal.

Based on the analyses and the experience of the project planner, the proposed principal use parking will not be materially detrimental to the public welfare, nor will it be injurious to the property or vicinity. The project replaces an existing surface parking lot for 83 vehicles, some accessory to nearby uses, and some available as principal use parking. The proposed structure is physically identical to the original proposal (which excluded any principal use parking), and would locate parking at grade and underground, all within the building. Vehicle access is to be from the alley, thereby minimizing potential pedestrian-vehicle conflicts. The design emphasizes activated streetfront façades, widened sidewalks, and none of the proposed parking directly abuts the sidewalk level.

Principal Use Parking garages must also meet the following criteria:

1. *Traffic from the garage will not have substantial adverse effects on peak hour traffic flow to and from Interstate 5, or on traffic circulation in the area around the garage*
2. *The vehicular entrances to the garage are located so that they will not disrupt traffic or transit routes, and*
3. *The traffic generated by the garage will not have substantial adverse effects on pedestrian circulation*

According to the supplemental December 22, 2004, Popp memo, 51 principal use parking spaces at this location would likely generate 22 trips at peak evening hours. The site is located more than a mile

from I-5 along Denny Way, and the majority of peak hour trips from the site would likely be distributed across the broader street network in all directions, resulting in a marginal effect on traffic flow to and from the highway.

The parking access is appropriately sited in the alley, where it is best accessed from Bay Street. The alley provides adequate space and opportunity for vehicle maneuvering into and out of the garage, without affecting traffic patterns of the arterials. The vehicle access from the alley also serves to minimize potential adverse effects on pedestrian circulation, and the proposed principal use parking shares the driveway with the project's accessory parking, creating no additional conflict locations. Traffic volumes generated by the 51 proposed principal use parking spaces will be relatively low, peaking at about 1 car per 3.5 minutes. Pedestrian activity at the site is also relatively low. Considering all the factors discussed above, DPD concurs with the traffic analysis and determines that trips generated by the garage are not likely to have substantial adverse effects on traffic circulation, transit routes, or pedestrians in the area around the garage. DPD determines that no further mitigation is therefore warranted.

DECISION - ADMINISTRATIVE CONDITIONAL USE

DPD **APPROVES** the request for an Administrative Conditional Use Permit for principal use parking.

ANALYSIS – SEPA

DPD requires a State Environmental Policy Act (SEPA) analysis for a development of more than twenty (20) residential units in a downtown zone, according to Director's Rule [23-2000](#) and SMC [25.05.800 A2a](#). The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist signed and dated on April 15, 2004. DPD received letters from three neighbors identifying concerns related to area traffic and parking. This information and the experience of the lead agency in similar situations form the basis for this analysis and decision. This report anticipates short- and long-term adverse impacts from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states, "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation", subject to limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and

Drainage Control Code, SMC [22.800](#) (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of most potential adverse impacts. Thus, mitigation pursuant to SEPA is generally not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Air and environmental health. Given the age of the existing structure on site, it may contain asbestos, which could be released into the air during demolition. The [Puget Sound Clean Air Agency](#), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections [25.05.675 A](#) and [F](#), to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA “notice of intent to demolish” prior to issuance of a DPD demolition permit. So conditioned, the project’s anticipated adverse air and environmental health impacts will be adequately mitigated.

Construction noise. Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses. Due to the proximity of the project site to the residential uses, DPD finds the limitations of the Noise Ordinance to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC [25.05.665](#)) and the SEPA Construction Impacts Policy (SMC [25.05.675 B](#)), mitigation is warranted.

The hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner (or his successor). Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be considered only when the owner(s) and/or responsible party(ies) provide three (3) days prior notice to allow DPD to evaluate the request. See Table 1 and Condition #8 below. No further mitigation is warranted in this regard.

Parking. The site abuts Denny Way on the north, Western Ave on the west, and Bay street on the south. Denny and Western are arterials, and there is no on-street parking provided along these frontages. Parking is provided across the street along a portion of the west side of Western Ave, and on both sides of Bay Street. Periodic visits by DPD staff to the site indicated that on-street daytime parking in this neighborhood is scarce, when most construction work is to occur. Short-term parking impacts involve additional parking demand generated by construction personnel and equipment. Existing on-site parking will also be displaced. The existing surface parking lot currently serves users of the Grange building, to be demolished, as well as some pay-per-use clients. Staff observed that the existing parking lot is usually largely empty. There is evidently a large supply of available private pay

parking in the near vicinity. It is therefore reasonable to assume that, during construction, existing users of the pay parking lot will transition to other nearby lots. However, it is not evident that construction-related parking will behave similarly. DPD therefore conditions the project to require a parking management plan for construction-related short-term impacts. The plan should identify projected parking demand and should show how short-term construction-related parking is to remain off-street in the surrounding neighborhood for the duration of construction. Acceptable alternatives may include parking on the site, accommodation in nearby parking lots, and transit incentives. When the parking levels are completed, then construction-related parking may be relocated onsite.

So conditioned, short term construction-related parking impacts are adequately mitigated.

Construction vehicles. Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site abuts Denny Way and Western Ave, and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. Assuming contractors use single loaded trucks to remove excavation material, each truck holds approximately 10 cubic yards of material, requiring approximately 4,200 truckloads to remove the projected 42,000 cubic yards of excavated material.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (Condition #10). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimizes the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g. increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to the new commercial space and new residences; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; and increased energy consumption.

The likely long-term impacts are typical of this scale of downtown mixed use development, and DPD expects them to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the street use ordinance. However, more detailed discussion of some of these impacts is appropriate.

Parking. According to letters from neighbors and information from site visits, on-street parking in the vicinity is in short supply most days and evenings. There is no on-street parking adjacent to the site along the Western and Denny frontages. Currently the site apparently absorbs some demand for parking from offsite uses. The proposed development does constitute an intensification of parking demand over existing conditions.

The applicant proposes 293 parking spaces on site for customer and resident use. This supply of on-site parking is more than adequate to mitigate projected demand for the residential and commercial spaces proposed, as well as to accommodate any demand represented by current pay parking on the site.

Traffic. The applicant submitted a traffic study dated August 10, 2004, prepared by William Popp Associates. The traffic analysis anticipates the overall traffic generated by the project, considered in the context of development currently occupying the site. The study is supplemented with a memo from William Popp, Jr., dated December 22, 2004, addressing more specifically the ACU criteria discussed above.

DPD also reviewed the traffic analysis prepared for MUP #2008955 by Heffron Transportation, Inc., dated May 21, 2001. The Heffron study considered a project with a different distribution of uses, which would have resulted in more trips than the current proposal is likely to generate. It therefore provides a more conservative basis from which to determine potential impacts generated by the current proposal.

Denny Way is a principal arterial with two eastbound lanes and three westbound lanes, which provide east-west access connecting the downtown waterfront, Queen Anne, Seattle Center and Magnolia with Capitol Hill and both Interstate 5 and State Route 99. Western Avenue to the west of the site is a principal arterial with three northbound lanes and one southbound lane.

The vehicular traffic generated by the project will be related to the residential and retail uses proposed on site, as well as to the long-term (typically office) parking generated by adjacent sites. The traffic study calculates using average PM peak hour trip generation rates obtained from the Seventh Edition of the *ITE Trip Generation Report*, 2003.

Using this data, DPD estimates that the entire project – residential, retail, parking accessory to the Northwest Work Lofts, and principal use parking – will generate a daily average of approximately 998 weekday trips.² The net increase, factoring out the current usage of the site, is 676 daily trips. The net increase in peak-hour PM trips is 63 trips (41 generated by the proposed apartments, the retail space, and the Northwest Work Lofts, and 22 generated by the principal use parking). The 2001 Heffron study projected 148 PM peak hour trips for the previous proposal, resulting in no worse than Level of Service (LOS) C at any of the analyzed signalized intersections. This proposal would generate substantially fewer peak hour trips, effectively generating a smaller impact, and DPD considers that overall traffic conditions in the vicinity have not changed enough in the intervening period to warrant further analysis.

DPD therefore determines that no conditioning of the traffic element of the project is warranted pursuant to SEPA policies.

Historic preservation. The applicant submitted to the Department of Neighborhoods (DON) a preliminary analysis of the existing structure slated for demolition, for purposes of determining its status as a potential landmark. DON staff determined that landmark status would be highly unlikely in this case.

The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities, loss of vegetation) are not sufficiently adverse to warrant conditioning.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW [43.21C.030\(2\)\(C\)](#).

² Daily trips per principal use parking stall: 2.63
 Daily trips for principal use parking: 2.63 x 51 = 134
 Daily trips for NW Worklofts: 158
 Daily trips associated with proposed apartments: 504
 Daily trips associated with proposed retail: 202
 Daily trips associated with existing uses: -322
 Net new daily trips 676

CONDITIONS – DESIGN REVIEW

Prior to Issuance of the Master Use Permit

1. In accordance with the Design Review Board's recommendation, the applicant(s) and/or responsible party(ies) shall update the patterning of the principal exterior material – the Prodema panels. On all principal façades along Denny, Western, and Bay, the updated patterning shall be composed of a dominant color and another that serves primarily as an accent. Updated plans shall be provided in accordance with condition #2.

[The following Design Review conditions 2-4 are not subject to appeal.]

2. The applicant shall update the Master Use Permit plans to reflect plans shown to the Design Review Board on September 14, 2004, and the recommendations and conditions in this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.

Prior to and/or During Construction

3. Any changes to the exterior façades of the building, signage, and landscaping shown in the building permit must involve the express approval of the project planner prior to construction.

Prior to Issuance of the Certificate of Occupancy

4. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager. The applicant(s) and/or responsible party(ies) must arrange an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.
5. In accordance with the Design Review Board's recommendation, the applicant(s) and/or responsible party(ies) shall provide artwork at the glazed elevator shaft to be located at the northwest corner of the building. The artwork is to be similar to images shown to the Design Review Board on September 14, 2004, and contained in the final recommendations design packet.

CONDITIONS – ADMINISTRATIVE CONDITIONAL USE

None.

CONDITIONS – STATE ENVIRONMENTAL POLICY ACT (SEPA)

Prior to Issuance of any Permit to Construct or Demolish

6. The owner(s) and/or responsible party(ies) shall submit a copy of the PSCAA "notice of intent to demolish" prior to issuance of a demolition permit.
7. The owner(s) and/or responsible party(ies) shall submit a parking management plan acceptable to the DPD planner, to address short-term parking impacts. The plan should identify projected

parking demand and should show how short-term construction-related parking is to remain off-street in the surrounding neighborhood for the duration of construction. Acceptable alternatives may include parking on the site, accommodation in nearby parking lots, and transit incentives.

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

8. The hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays³ to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner or his successor. Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the owner(s) and/or responsible party(ies) provide three (3) days' prior notice to allow DPD to evaluate the request.

| Non-holiday work hours | | | | | | | |
|------------------------|-----|-----|------|-----|-------|-----|-----|
| | Sun | Mon | Tues | Wed | Thurs | Fri | Sat |
| 7:00 am | | | | | | | |
| 8:00 | | | | | | | |
| 9:00 | | | | | | | |
| 10:00 | | | | | | | |
| 11:00 | | | | | | | |
| 12:00 pm | | | | | | | |
| 1:00 | | | | | | | |
| 2:00 | | | | | | | |
| 3:00 | | | | | | | |
| 4:00 | | | | | | | |
| 5:00 | | | | | | | |
| 6:00 | | | | | | | |
| 7:00 | | | | | | | |
| 8:00 | | | | | | | |

Table 1. Non-holiday work hours. Unshaded work hours shown above are permitted outright. For certain work, it is possible to request DPD approval for additional hours shaded in gray.

9. The applicant(s) and/or responsible party(ies) shall implement the approved parking management plan so as to ensure that all construction-related parking occurs off-street in the surrounding neighborhood.

³ Holidays recognized by the City of Seattle are listed on the City website,
<http://www.seattle.gov/personnel/services/holidays.asp>

10. For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 PM and 6 PM on weekdays.

Signature: (signature on file) Date: March 28, 2005
Scott A. Ringgold, Land Use Planner
Department of Planning and Development

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